

CONDITIONS FOR DEVELOPMENT AND USE OF PROPERTY IN THE BAY POINT AREA

GENERAL

1. All land located in the Bay Point Redevelopment Plan Area is to be used as allowed and regulated in this Bay Point Planned-Unit District. Existing approved land use permits will not be subject to any additional development regulations for the use/development approved.
2. Wherever there appears to be a conflict between this Planned-Unit District and Title 8 of the County Ordinance Code, this Planned-Unit District shall prevail. For development standards not covered by this Planned-Unit District, Title 8 shall be used as a guideline.
3. No person shall grade or clear land, erect, move or alter any building or structure on any land except in compliance with all elements of this Planned-Unit District Plan.
4. All development and use of land shall comply with all criteria contained in the Land Use Map, the Bay Point Land Use Matrix, the Development Guidelines, and the Design Guidelines.
5. Development shall comply with all design criteria, County Ordinances and applicable State laws. Supplemental reference documents may be attached to further define these requirements. These documents are incorporated by reference and may be amended from time to time to reflect changes in major community goals, policies, legislation, or to further define specific criteria pursuant to the procedures set forth in Section 84-66.1804 of the County Ordinance Code.
6. As part of permit approval, the Planning Agency may adopt standards, regulations, limitations and restrictions which are either more or less restrictive than those specified elsewhere in the Bay Point Planned-Unit District.
7. In approving any application, the Planning Agency shall find it consistent with the intent and purpose of the Bay Point Planned-Unit District and compatible with the other uses in the vicinity.
8. The Planning Agency may impose reasonable conditions of approval on any land use permit to insure compliance with the purpose of this Bay Point Planned-Unit District.

PROCEDURES

9. All development and use of property are subject to review as specified in the Land Use Matrix. In no case will more than one type of development application be required. Where a Land Use Permit is required, it shall take precedence over any other type of required application.

10. The project/use shall be maintained in compliance with all applicable P-1 Zoning conditions of approval at all times. An annual fee may be required to provide for adequate monitoring of conditions of approval.
11. Appeals of any decision rendered pursuant to the Bay Point Planned-Unit District resulting from a public hearing before the Zoning Administrator may be appealed to the Planning Commission in accordance with Article 26-2.24 of the County Ordinance Code. Administrative decisions may be appealed in accordance with Article 14-4.004 within 30 days of rendering the decision.
12. A motion for reconsideration of any decision rendered pursuant to the Bay Point Planned-Unit District, either administratively or after a public hearing, may be heard by the hearing body having rendered the decision in accordance with Article 26-2.24 of the County Ordinance Code.
13. The Zoning Administrator shall review and consider applications for modifications to a permit in accordance with Section 84-66.1804 of the County Ordinance Code.
14. Application fees within the Bay Point Planned-Unit District shall be established by the Board of Supervisors and may differ from similar countywide fees.
15. A Development Permit, where required, must accompany subdivision requests.
16. An applicant may submit simultaneously, and in combination with the Permit required by this ordinance, an application for subdivision approval. Such combined applications shall be processed, noticed and heard as required for the subdivision approval.

DEVELOPMENT PERMIT

17. A Development Permit is required for all new residential construction of three (3) or more units. Units may be attached or detached, in conjunction with a subdivision application pursuant to Titles 8 and 9 of the County Ordinance Code or within a single building. A Development Permit is required for all new non-residential structures or buildings and additions to non-residential structures which exceed 50% of the existing floor area of the building or 10,000 sq. ft. whichever is less.
18. Development Permits Applications shall be referred to the Bay Point Municipal Advisory Council and Bay Point Project Area Committee for review and recommendation. Action on such applications shall not be taken until review and recommendation has been completed, provided the timing is within the restrictions of the Permit Streamlining Act.
19. Development Permits shall be processed in accordance with Article 26-2.21 of the County Zoning Ordinance. Notification of all property owners within 300 feet is required.

20. Development Permit hearings shall be held as requested and may be initially heard by the Zoning Administrator. The Zoning Administrator may refer the application to the Planning Commission for initial hearing.
21. A Development Permit shall become null and void if within two (2) years after the approval, the construction specified in the Permit has not been commenced unless otherwise stated in the Conditions of Approval. When a Development Permit is accompanied by a subdivision application and approval, the length of the validity of the Permit shall be consistent with the subdivision.
22. For a Development Permit not processed in conjunction with a subdivision application, the applicant may submit an Administrative Permit requesting an extension of the approval and the Zoning Administrator may grant not more than five extensions, each for no more than one year, upon showing of good cause. An application for an extension shall not be considered unless it is submitted before the expiration of the Development Permit.

LAND USE PERMITS

23. Land Use Permits are required as designated in the Land Use Matrix for uses which are not permitted by right, but under certain circumstances are found to be compatible within the subject land use designation.
24. Land Use Permit Applications shall be referred to the Bay Point Municipal Advisory Council and Bay Point Project Area Committee for review and recommendation. Action on such applications shall not be taken until review and recommendation has been completed, provided the timing is within the restrictions of the Permit Streamlining Act.
25. The Zoning Administrator shall initially hear public hearings for all Land Use Permit applications, which shall be processed in accordance with Article 26-2.20 of the County Ordinance Code. The Zoning Administrator may refer the application to the Planning Commission for initial hearing.
26. An approved Land Use Permit shall become null and void if within two (2) years after the approval, the construction specified in the Permit has not been commenced or the use has not been established unless otherwise stated in the Conditions of Approval.
27. Upon a written showing of good cause Land Use Permit may be extended administratively one time for a period of one year. An application for an extension shall not be considered unless it is submitted before the expiration of the Land Use Permit.

ADMINISTRATIVE PERMITS

28. As designated on the Land Use Matrix, an Administrative Permit is required for certain uses which require strict adherence to specific criteria, temporary uses, changes in occupancy in existing buildings, minor additions (less than 50% of the existing gross floor area or 10,000 sq. ft., whichever is less) of existing non-residential buildings, alterations to residential structures of three (3) or more units, Development Permit extensions and modifications to the Development Standards.
29. The Zoning Administrator may refer Administrative Permit Applications to the Bay Point Municipal Advisory Council and Bay Point Project Area Committee for review and recommendation.
30. The Zoning Administrator has the authority to require notification of nearby property owners if deemed appropriate for Administrative Permits. If required, notification shall be processed in accordance with Article 26-2.2004 of the County Zoning Ordinance.
31. An Administrative Permit shall automatically expire a maximum of one year from the date of approval, if the use is not established. Administrative Permits may be conditioned for a lesser time of validity.
32. Upon a written showing of good cause, an Administrative Permit may be extended administratively once for a maximum of one year. An application for an extension shall not be considered unless it is submitted before the expiration of the Administrative Permit.

USES

33. Uses may be permitted in the designated land use categories in accordance with the Land Use Matrix or approved permit.
34. Any non-conforming use lawfully existing at the effective date of this Bay Point Planned-Unit District on that property may be extended or enlarged in accordance with Chapter 82-8 of the County Ordinance Code (issuance of a Land Use Permit) and the Bay Point Planned-Unit District.
35. Existing buildings and structures which do not conform to current standards but contain uses which conform to the Bay Point Planned-Unit District are not subject to "Non-Conforming Use" requirements and may be repaired or rebuilt in accordance with Chapter 82-8 of the

County Ordinance Code. Additions to buildings and structures nonconforming to development standards contained herein shall be allowed subject to compliance with all requirements of this ordinance for the proposed new construction.

36. The Zoning Administrator shall specify the appropriate designation for any land use not specifically listed in the Land Use Matrix and not similar to any other use listed in the Matrix. Such uses shall be made a part of the Land Use Matrix by policy and incorporated in future amendments.

DEVELOPMENT POLICIES

37. These development policies are applicable to all development proposed within the Bay Point Planned-Unit District boundaries.
38. Building bulk, height, land coverage, visual appearance from adjacent land, and design compatibility with existing adjoining development and land use designation, shall be considered and controlled.
39. A development's design shall be consistent with the Design Guidelines and successfully integrate individual buildings and building groups with surrounding development, other physical features in the area, and existing development which will remain.
40. The design of structures shall provide for harmonious composition of mass, scale, color, and textures, with special emphasis on the transition from one building type to another, termination of groups of structures, relationships to streets, exploitation of views, and integration of spaces and building forms with the topography of the site and the unique character of the area.
41. Off-street parking and loading areas shall be integrated into the overall vehicular circulation system.
42. Development applications shall ensure that adequate buffer zones are provided between unlike land uses.
43. New businesses and construction projects shall make best efforts to hire employees, workers and subcontractor components at the job from the Bay Point community.
44. All new residential development shall be consistent with the design guidelines and should include attractive and varied designs which avoid monotonous streetscapes and improve the quality of life for residents. Exterior materials and colors, staggered setbacks, frontage

improvements, adequate and safe parking and yard areas and landscaping should be considered.

45. Provisions are to be made for an efficient, direct and convenient system of pedestrian circulation, together with landscaping and appropriate treatment of any public areas or lobbies.
46. All uses shall comply with any applicable regulations of the Bay Area Air Quality Management District, the Regional Water Quality Control Board, the San Francisco Bay Conservation and Development Commission, the State and County Health Departments and any other regulatory agencies affecting the site/project.
47. Monitoring may be required as part of the conditions of approval on projects that require continuing obligations (i.e., maintenance).

DEVELOPMENT STANDARDS

48. These development standards are to be observed for any development, construction and/or change in use.
49. Trails and public access corridors should be clearly delineated. Provide fencing or barriers to natural areas where necessary to protect habitat areas and public safety. All trails shall be accessible to the handicapped and disabled.
50. All outdoor lighting should be directed down and screened away from adjacent properties and streets.
51. To the extent provided by law, 3:1 compensatory mitigation of any project directly impacting a 'significant wetland' may be required based on conditions imposed by the U.S. Army Corps of Engineers and/or the San Francisco Water Quality Control Board.
52. All native trees with a trunk circumference of 72" or more, as measured 4 feet above the ground, shall be protected. Prior to the removal of a tree, the applicant shall demonstrate why the removal of such tree(s) is unavoidable. Compliance with the Tree Protection Ordinance (Chapter 816-6 of the County Code) is required.
53. Setbacks of 100 feet from the edge of wetland areas, or the flow line of a creek, are required.
54. No structure (including but not limited to fences and gateways) or vegetation which

obstructs the visibility of and from vehicles approaching the intersection of a street shall be constructed, grown, maintained or permitted higher than 2 ⁹/₁₆ feet above the curb grade or 3 feet above the edge of pavement within a triangular area bounded by the right-of-way lines and a diagonal line joining points on the right-of-way lines 25 feet back from the point of intersection.

RESIDENTIAL

55. All residential projects with six (6) or more units are required to include a minimum of 15% affordable housing units.
56. Projects with five (5) or more residential units may be eligible for a density bonus according to the County Density Bonus Ordinance administered by the Redevelopment Agency.
57. Design of residential projects should incorporate features of neo-traditional design, consistent with the Design Guidelines.
58. Exterior materials shall be those customarily used in conventional single-family homes. Textured (e.g., T-111) siding is not permitted.
59. Pitched roof and window trim shall be used for new residential construction and remodeling.
60. Front landscaping and irrigation in accordance with the Water Conservation Landscaping requirements of Chapter 82-26 of the County Code shall be provided for residential projects.
61. Fencing shall be consistent with the design guidelines.
62. For single-family residences with three (3) bedrooms or less, the project shall include a minimum of a one-car garage and one car parking in the driveway per unit.
63. For single-family residences with 4 bedrooms or more, the project shall include a minimum of a two-car garage and two car parking in the driveway per unit.
64. Parking is not permitted in front or side yard areas, except where the driveway location has been approved. In no case, shall parking be permitted in the front of a residence where landscaping is required.
65. The Winterbrook Drive project is approved per Development Plan #DP79-3017 and subject to the Conditions of Approval therein.

66. The Lancaster/Chadwick Project is approved per Development Plan #DP833044 and subject to the Conditions of Approval therein.
67. The North Camino Andres Project is approved per Development Plan #DP89-3025 and subject to the Conditions of Approval therein.
68. ~~The Bella Vista Project is approved per Development Plan #DP913022 and subject to the Conditions of Approval therein. (expired)~~
69. The south Camino Andres Project is approved per Development Plan #DP92-3026 and subject to the Conditions of Approval therein.

NON-RESIDENTIAL

70. Projects involving hazardous waste or hazardous materials shall comply with the provisions of Chapter 84-63 of the County Ordinance Code as amended from time to time. Health risk assessments as required by the Bay Area Air Quality Management District shall be submitted.
71. Landscaping on all frontages, and as a buffer to adjacent properties, shall be provided.
72. Any outdoor storage and maintenance area shall be screened from view from public streets.
73. All ground, wall and roof mounted equipment shall be screened from public rights-of-way and adjacent properties. Visual screens shall be painted or treated to match the color of the wall or roof.
74. Freight docks, loading areas, truck berths and heavy vehicle equipment storage shall be screened from all public rights-of-way and abutting uses, except where the abutting use is determined to be similar in nature.
75. Truck loading areas should not be placed within 25 ft. of residential uses on adjacent parcels.
76. No storage tanks or process equipment may be located between any street and the respective building setback line.
77. No loading space, dumpsters or refuse areas shall be placed so as to face any public rights-of-way.
78. Yard areas abutting a street shall be landscaped and maintained.

79. Long curb radii and 'red curb zones' within 25' of entryways shall be provided at intersections and driveways to accommodate truck turning movements. Loading and unloading operations shall not impact the public road system.
80. Adequate parking shall be provided on-site to minimize on-street parking which will facilitate the flow of truck traffic and maximize sight distance for turning movements to and from driveways.
81. Street level views of all automobile and truck parking areas from public streets shall be screened.
82. A dual water system shall be provided wherever possible (per Chapter 82-30 of the County Ordinance) for all projects within a 'dual water system area' greater than 15 acres or 120,000 sq. ft. in floor area.
83. Limit activities which may result in noise, glare or vibrations extending beyond the property boundary.
84. Convenient bicycle parking areas shall be provided.

LIGHT INDUSTRIAL: The following criteria are additional requirements for all projects in the Light Industrial Land Use Designation.

85. Prefabricated metal buildings should not be permitted.
86. All new utility distribution services shall be placed underground.
87. Driveways should not be closer than 150' to other driveways. Adjacent parcels should share driveway entrances if feasible.
88. Building masses are to be simple in form and have architectural articulation. Signage should be designed as part of the building.

ARCHAEOLOGY

89. Should archaeological materials be uncovered during grading, trenching or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped, until a professional archaeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigations), if deemed necessary.

GRADING

90. The applicant shall submit grading plans for review and approval of the Community Development Department prior to issuance of grading permits to assure compliance with this Planned-Unit District.
91. No trees shall be removed without the prior written approval of the Zoning Administrator.

LANDSCAPING

92. Parking lots shall be landscaped at a minimum ratio of one tree per four parking spaces for double-loaded stalls and one tree per six spaces for single-loaded stalls.
93. California native, drought-tolerant plants shall be used as much as possible.
94. Landscaping shall conform to the County Water Conservation Landscape Ordinance 82-26.
95. Landscaping shall be maintained by the developer/homeowners.

SIGNS

96. All signs shall be consistent with the Design Guidelines and subject to an Administrative Permit and the review and approval of the Zoning Administrator.

CONSTRUCTION CONDITIONS

97. Construction activities, including such things as power generators, shall be limited to the hours of 7:30 A.M. to 5:30 P.M. Monday through Friday, and shall be prohibited on State and Federal holidays. Time restrictions shall be communicated (i.e. posting at the site) to all contractors and subcontractors. The restrictions on allowed working days may be modified on prior written approval by the Zoning Administrator.
98. Construction sites shall be periodically watered sufficient to control dust.
99. Litter and debris shall be contained in appropriate receptacles on site and shall be removed as necessary.
100. Projects, creating 1,500 sq. ft. or more of new impervious surface area, shall construct on site

retention or detention facilities or install silt or grease traps in the storm drain system for the proposed project drainage during project construction.

CHILD CARE

101. Projects which will have (a) 100 or more employees, (b) 15,000 gross sq. ft. or more retail area, and/or (c) residential projects of 30 dwelling units or more shall comply with Chapter 82-22 (Child Care Facilities) of the County Zoning Ordinance. Prior to obtaining building permits, the proposed program shall be submitted for the review and approval of the Zoning Administrator.
102. Projects which will have 29 or fewer dwelling units shall pay a fee towards a child care facility need in the area as follows:
 - \$400 per Single Family Residential.
 - \$200 per Unit for condominiums or townhomes;
 - \$100 per apartment unit with two or more bedrooms (studio and bedroom units are not subject to the fee).

TRANSPORTATION MANAGEMENT

103. Projects which will have 100 or more employees or 13 or more dwelling units shall submit, at least 30 days prior to the issuance of a building permit, a Transportation Demand Management (TDM) information program in accordance with the requirements of Article 532-2.606 for review and approval of the Zoning Administrator.

FIRE PROTECTION

104. Prior to issuance of a building permit, the Fire District shall review all plans for development.
105. Sprinkler systems shall be required for all new non-residential development.
106. Sprinkler systems shall be required in new residential construction if the project is in excess of 1.5 miles from the nearest fire station.
107. All new buildings and major remodels shall have fire resistant roofs (Class C).

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

108. Development should make best efforts to incorporate the strategies used in the CPTED process, including access control, surveillance, defensible space/territorial reinforcement, maintenance and premise liability. Following is a description of the specific strategies:
- **Access Control:** Natural strategies for access control employ spatial definition and circulation patterns, the focus of which is to deny access to and challenge unwanted visitors. Examples include fences, locks and computerized card entry systems.
 - **Surveillance:** Design concepts incorporate natural surveillance from surrounding areas greatly enhancing safety and reducing the risk of crime. These include, but are not limited to, appropriate lighting, CCTV, window and door design, low landscaping and raised entrances.
 - **Defensible Space/Territorial Reinforcement:** This includes providing clear border definition of space; clearly marked transitions from public to private space; placing safe activities in unsafe places and unsafe activities in safe places; use of natural barriers; improve scheduling of space to allow for “critical intensity”; overcome distance & isolation through improved communications & design efficiencies.
 - **Maintenance:** A maintenance plan is necessary to ensure the ongoing effectiveness of CPTED principles such as landscape management, preventative lighting measures, graffiti abatement.
 - **Premise Liability:** Focuses on the prevention of civil suits against the property owner. Under law the property owner must provide a safe and secure environment.

**PUBLIC WORKS
CONDITIONS OF APPROVAL**

LAND USE PERMITS AND DEVELOPMENT PERMITS

NOTE: Not all conditions of approval apply to all land use permits. The italicized code in parenthesis at the bottom of each condition of approval denotes the types of developments to which that condition may apply. The codes are as follows:

ARU	Additional Residence (Urban)
ARR	Additional Residence (Rural)
ZV	Zoning Variance
SUI	Second Unit within Footprint of Main House
SUD	Second Unit Detached From Main House
CMH	Caretaker Mobile Home
FMH	Family Member Mobile Home
CT	Communications Tower
HO	Home Occupation
CD	Commercial Development
ID	Industrial or Light Industrial Development

For all other land uses, consult the Public Works Department.

GENERAL REQUIREMENTS:

109. The applicant shall comply with the requirements of Title 8, Title 9, and Title 10 of the Ordinance Code. Copies of these ordinances are available for review at the Public Works and Planning Departments. Any exceptions there from must be stipulated in this documented or granted by the Public Works Department. Conditions of approval are based on the site plan received by Community Development. *(All Developments)*
110. Applicant shall submit improvement plans, prepared by a registered civil engineer, to Public Works and pay appropriate fees in accordance with the County Ordinance and these conditions of approval, if road or drainage improvements are required. *(All Developments)*
111. Public/Semi-Public Uses: Conditions of approval for Public/Semi-Public land uses (e.g., parks, libraries, etc.) vary based on the intensity of the proposed use. Contact the Public Works Department for specific conditions of approval.

ROADWAY IMPROVEMENTS (FRONTAGE/ON-SITE/OFF-SITE):

112. Applicant shall construct curb, sidewalk, necessary longitudinal and transverse drainage, street lighting, and necessary pavement widening and transitions along the public road frontage of this project. The sidewalk width and curb requirements are as follows:

Type of Development	Sidewalk Width (Measured from Curb Face) and Curb Requirements
Single-Family Residential (Parcels < 20,000 sq.ft.)	Curb or Sidewalk Required
Single-Family Residential (Parcels > 20,000 sq.ft.)	Curb or Sidewalk May Be Required
Multiple-Family Residential	Curb, 6-foot Sidewalk Required
Industrial	Curb, 6-foot 6-inch Sidewalk Required on one side of the road only.
Commercial	Curb, 10-foot Sidewalk Required

113. If the development does not fit into any of the above categories, but sidewalk is characteristic of the area, the applicant will be required to install sidewalk to match the surrounding parcels. The applicant shall construct face of curb parallel to the ultimate right of way centerline, except where tapering or turn lanes are needed.
114. The applicant shall widen the existing pavement to conform to the new curb line. When widening the pavement, the applicant shall cut existing pavement to a neat line along an existing adequate structural section. Widening shall commence at that line and may require an exploratory trench or pothole to determine the limits of pavement widening. Adequate pavement transitions will be required. *(ARU, CD, ID)*
115. Applicant shall install safety-related improvements along the project’s fronting public road (including traffic signs and striping) as approved by the Public Works Department, Transportation Engineering Division. *(ARU, ARR, CD, ID)*

DRAINAGE IMPROVEMENTS:

116. This development shall conform to the requirements of Division 914 (Drainage) of the Subdivision Ordinance. The following requirements must conform to Division 914:
- a. All storm waters entering and/or originating on the subject property shall be conveyed, without diversion and within an adequate storm drainage facility, to a

natural watercourse having definable bed and banks. Conveying storm waters to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse shall also satisfy this requirement.

NOTE: This condition may require the construction of significant off-site drainage improvements. The applicant should consult with the Public Works Department to determine the extent of improvements needed to service the development. An exception to this requirement may apply under either of the following conditions:

- i. If the subject parcel is greater than 5 acres in area and the proposed use is agricultural in nature, an exception from the above requirement will be granted provided the applicant maintains the existing drainage pattern and does not dispose concentrated storm water runoff onto adjacent property.
 - ii. An exception will be granted if the proposed project results in a net increase of 1500 square feet or less of impervious surface. For non-residential and non-agricultural uses (CD or ID), all impervious surfaces created will be counted. For residential and agricultural use, only the building footprint area will be counted. (ARU, ARR, ZV, SUI, SUD, CMH, FM)
 - b. Applicant shall verify that the downstream drainage system is adequate to convey the required design storm (based on the ultimate development of the watershed) and, if necessary, shall construct improvements to guarantee adequacy.
 - c. Storm drainage facilities required by Division 914 shall be designed and constructed in accordance with specifications outlined in Division 914 and in compliance with design standards of the Public Works Department. Copies of this ordinance are available for review at the Public Works and Planning Departments.
 - d. All drainage patterns created by this development and all improvements installed by the developer shall be consistent with the Drainage Area plan for that development's particular Drainage Area.
 - e. Discharging concentrated storm water into roadside ditches is prohibited unless specifically allowed by the Public Works Department.
117. Storm drainage originating on the property and conveyed in a concentrated manner shall be prevented from draining across the sidewalk(s) and driveway(s). (ARU, ARR, CD, ID)

ACCESS TO ADJOINING PROPERTY:

118. Applicant shall furnish necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements. *(All Developments, if applicable)*
119. Applicant shall furnish proof to Public Works that legal access to the property is available from a public road. *(All Developments, if applicable)*
120. Obtain an encroachment permit from the Application and Permit Center for construction of any improvements within the public road right of way.
121. If improvements are to be constructed within the State right of way, the applicant shall obtain an encroachment permit from Caltrans through the Public Works Department. *(All Developments, if applicable)*
122. Access is only allowed at the locations shown on the approved site/development plan. On the following roads access shall be subject to the review of Public Works, and the review and approval of the Zoning Administrator: Bailey Road, Willow Pass Road, and Port Chicago Highway. *(All Developments, if applicable)*

ROAD ALIGNMENT (VERTICAL AND HORIZONTAL SIGHT DISTANCE/GRADES):

123. The Public Works Department may require the applicant to submit a sketch plan prior to starting work on the improvement plans. The sketch plan shall be prepared by a registered Civil Engineer, and show all public road improvements, including the proposed and future edge-of-pavement lines, lane striping details, lighting and cross-sections. The sketch plan shall extend a minimum of 150-feet beyond the limits of the proposed work and will show that adequate sight distance will be provided. *(ARU, ARR, CD, ID)*

PRIVATE ROADS:

If private roads are to be utilized for project access, the following Conditions of Approval shall apply:

124. Applicant shall construct a turnaround at the end of the proposed private road. *(CD, ID)*
125. Applicant shall construct to County private road standards a 20-foot paved private roadway with 2-foot compacted shoulders within a 30-foot access easement. The private road shall extend from the public road to those parcels within the subject property that are to be served by the private road. *(CD, ID)*

126. Applicant shall develop and enter into a maintenance agreement that will insure that the proposed private road will be maintained, and that each property that uses the proposed private road will share in its maintenance. *(CD, ID)*

ROAD DEDICATIONS:

127. Applicant shall convey to the County, by Offer of Dedication, the right of way necessary for the planned future width along the public road frontage of the subject property. *(ARU, ARR, CD, ID)*

STREET LIGHTS:

128. Streetlights shall be installed along the public road frontage of the property, in the following locations:
- a. Along all streets within one mile of an existing school or school site approved by the local school board;
 - b. If the density is equivalent to that of an R-12 or higher density;
 - c. For non-residential areas, or as required by the Public Works Department.
 - d. If this property is not presently in County Service Area L-100, and is not agriculturally zoned, the property owner shall apply for annexation. Annexation shall be completed prior to issuance of Building Permits or initiation of the proposed use, whichever is first. This annexation process must comply with State Proposition 218 requirements, which may take approximately 6 months to complete. *(ARU, ARR [with exceptions for parcels larger than 5 acres], CD, ID)*

LANDSCAPING:

129. The following requirements apply along all roads proposed to have raised, landscaped median islands:
- a. The applicant shall install, in accordance with County guidelines and standards, all landscaping and automatic irrigation facilities to be maintained by the County. The developer shall maintain the landscape facilities until the following conditions have been

- met: a) a minimum of 90 days have passed after installation; b) the plants have become established; and c) maintenance funding is assured through the landscaping district. *(CD, ID)*
- b. The applicant shall submit two sets of landscape and irrigation plans and cost estimates, prepared by a licensed landscape architect, to the Public Works Department for review and to the Zoning Administrator for review and approval, prior to issuance of a building permit and prior to initiation of the proposed use. *(CD, ID)*
 - c. All landscaping outside the public road right of way, such as parks, shall be submitted to the Zoning Administrator for review and approval. *(CD, ID)*
 - d. The applicant shall apply for annexation to the County Landscaping District AD 1979-3 (LL-2), for the future maintenance of public landscaping and irrigation facilities in median islands, borders, and other areas prior to initiation of the proposed use. *(CD, ID)*

UTILITIES/UNDERGROUNDING:

- 130. All utility distribution facilities shall be installed underground, including any existing overhead distribution facilities along the public road frontage of the subject property. *(CD, ID)*
- 131. All new utility distribution services shall be installed underground. *(All Developments, if applicable)*

DEVELOPMENT FEES:

- 132. Prior to issuance of a building permit, and prior to initiation of the proposed use, the applicant shall pay the current fee in compliance with the Bridge/Thoroughfare Fee Ordinance for the Bay Point, Bay Point Area of Benefit, and for the Eastern Contra Costa Subregional Transportation Mitigation Fee. Consult with the Public Works Department to determine the current fee. *(ARU, ARR, SUI, SUD, CMH/FMH [only if in place more than 5 years], CD, ID)*
- 133. The applicant shall pay the current fee in compliance with the Drainage Area fee ordinance associated with the subject property. Consult with the Public Works Department or Flood Control District to determine the current fee. *(ARU, ARR, SUI, SUD, CMH/FMH [only if in place more than 5 years], HO, CD, and ID)*

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES):

134. Applicant shall be required to comply with the County's Storm Water Management and Discharge Control Ordinance (Ord. No. 96-21) rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (San Francisco Bay - Region II, or Central Valley Region IV).

SUBDIVISIONS AND MINOR SUBDIVISIONS

GENERAL REQUIREMENTS:

135. In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Copies of these ordinances are available for review at the Public Works and Planning Departments. Any exceptions therefrom must be specifically listed in this conditional approval statement. The drainage, road and utility improvements outlined below shall require the review and approval of the Public Works Department and are based on the Tentative Map.
136. Improvement plans prepared by a registered civil engineer shall be submitted to the Public Works Department, Engineering Services Division, along with review and inspection fees, and security for all improvements required by the Ordinance Code for the conditions of approval of this subdivision. These plans shall include any necessary traffic signage and striping plans for review by the Transportation Engineering Division.
137. This development shall conform to the requirements of Division 914 (Drainage) of the Subdivision Ordinance. The following requirements must conform to Division 914:
- a. Drainage, road and utility improvements shall require the review and approval of the Public Works Department. This development shall comply with the requirements of (Title 9) and (Title 10) of the County Ordinance Code. Any exceptions therefrom must be specifically listed in this conditional approval statement.
 - b. The drainage, road and utility improvements outlined below shall require the review and approval of the Public Works Department.
 - c. All storm drainage facilities shall be designed to accommodate the ultimate development of the watershed.

ROADWAY IMPROVEMENTS (FRONTAGE/ON-SITE/OFF-SITE):

139. Applicant shall construct curb, sidewalk, necessary longitudinal and transverse drainage, street lighting, and pavement widening along the public road frontage of this project. The sidewalk width and curb requirements are as follows:

Type of Development	Sidewalk Width (Measured from Curb Face) and Curb Requirements
Single-Family Residential (Parcels < 12,000 sq.ft.)	Curb or Sidewalk Required
Single-Family Residential (Parcels 12,000-20,000 sq.ft.)	Curb or Sidewalk Required
Single-Family Residential (Parcels > 20,000 sq.ft.)	Curb or Sidewalk May Be Required
Multiple-Family Residential	Curb, 6-foot Sidewalk Required
Industrial	Curb, 6-foot 6-inch Sidewalk Required on one side of the road only.
Commercial	Curb, 10-foot Sidewalk Required

140. If the development does not fit into any of the above categories, but sidewalk is characteristic of the area, the applicant will be required to install sidewalk to match the surrounding parcels. The applicant shall construct face of curb parallel to the ultimate right of way centerline, except where tapering or turn lanes are needed.
141. The applicant shall widen the existing pavement to conform to the new curb line. When widening the pavement, the applicant shall cut existing pavement to a neat line along an existing adequate structural section. Widening shall commence at that line and may require an exploratory trench or pothole to determine the limits of pavement widening.
142. If the development creates new on-site public roads, the applicant shall construct the on-site road system to County public road standards and convey to the County, by Offer of Dedication, the corresponding right of way.
143. Applicant shall install safety-related improvements along the project's fronting public road (including traffic signs and striping) as approved by the Public Works Department, Transportation Engineering Division.

ACCESS TO ADJOINING PROPERTY:

Proof of Access/Acquisition

144. Applicant shall furnish proof to the Public Works Department, Engineering Services Division, of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, road or drainage improvements.
145. If, after good faith negotiations, the applicant is unable to acquire necessary rights of way or easements, he/she shall enter into an agreement with the County to complete the necessary improvements at such time as the County acquires the necessary interests in accordance with Section 66462 and 66462.5 of the Subdivision Map Act. Right of way acquisition shall be completed at the sole cost of the applicant.

ENCROACHMENT PERMIT

146. The applicant shall obtain an encroachment permit from the Application and Permit Center for construction of any improvements within the public road right of way.
147. If improvements are to be constructed within the State right of way, the applicant shall obtain an encroachment permit from Caltrans through the Public Works Department.

ABUTTER'S RIGHTS

148. Relinquish abutter's rights of access along the public road frontages, except as approved by the Public Works Department.

ROAD ALIGNMENT (HORIZONTAL AND VERTICAL SIGHT DISTANCE/GRADES):

149. The Public Works Department, Engineering Services Division, may require the applicant to submit a sketch plan prior to starting work on the improvement plans. The sketch plan shall be prepared by a registered civil engineer and shall show all public road improvements, including the proposed and future edge-of-pavement lines, lane striping details, lighting and cross-sections. The sketch plan shall extend a minimum of 150-feet beyond the limits of the proposed work and will show that adequate sight distance will be provided.

PRIVATE ROADS:

If private roads are to be utilized for project access, the following Conditions of Approval shall apply:

150. Applicant shall construct a turnaround at the end of the proposed private road.
151. Applicant shall construct to County private road standards a 20-foot paved private roadway with 2-foot compacted shoulders within a 30-foot access easement. The private road shall extend from the public road to those parcels within the subject property that are to be served by the private road.
152. Applicant shall develop and enter into a maintenance agreement that will insure that the proposed private road will be maintained, and that each property that uses the proposed private road will share in its maintenance.

ROAD DEDICATIONS:

153. Applicant shall convey to the County, by Offer of Dedication, the right of way necessary for the planned future width along the public road frontage of the subject property.

STREET LIGHTS:

154. Streetlights shall be installed on and the property annexed to County Service Area L-100, for maintenance of the street lighting. The final number and location of the lights shall be determined by the Public Works Department, Engineering Services Division. Application for annexation to CSA L-100 Lighting District shall be submitted prior to filing of the Final Map, if the property has not already been annexed. This annexation process must comply with State Proposition 218 requirements, which may take approximately 6 months to complete.

UTILITIES/UNDERGROUNDING:

155. All utility distribution facilities shall be installed underground, including any existing overhead distribution facilities along the public road frontage of the subject property.

DRAINAGE IMPROVEMENTS:

156. This development shall conform to the requirements of Division 914 (Drainage) of the Subdivision Ordinance. The following requirements must conform to Division 914:

- a. All storm waters entering and/or originating on the subject property shall be conveyed, without diversion and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks. Conveying storm waters to an existing adequate public storm drainage facility that conveys the storm waters to an adequate natural watercourse shall also satisfy this requirement.

NOTE: This condition may require the construction of significant off-site drainage improvements. The applicant should consult with the Public Works Department to determine the extent of improvements needed to service the development. Drainage Area maps are shown on the attached drawings, indicating size and location of existing and proposed major drainage facilities.

- b. If the resultant parcels are greater than 10 acres in area and the proposed use is agricultural in nature, an exception from the above requirement will be granted provided the applicant maintains the existing drainage pattern and does not dispose concentrated storm water runoff onto adjacent property.
- c. Applicant shall verify that the downstream drainage system is adequate to convey the required design storm (based on the ultimate development of the watershed) and, if necessary, shall construct improvements to guarantee adequacy.

157. Storm drainage facilities required by Division 914 shall be designed and constructed in accordance with specifications outlined in Division 914 and in compliance with design standards of the Public Works Department. Copies of this ordinance are available for review at the Public Works and Planning Departments.

158. All drainage patterns created by this development and all improvements installed by the developer shall be consistent with the Drainage Area plan for that development particular Drainage Area.

159. Discharging concentrated storm water into roadside ditches is prohibited unless specifically allowed by the Public Works Department.

160. Storm drainage originating on the property and conveyed in a concentrated manner shall be prevented from draining across the sidewalk(s) and driveway(s).

DEVELOPMENT FEES:

161. Prior to issuance of a building permit, the applicant shall pay the fee in effect at time of vesting in compliance with the Bridge/Thoroughfare Fee Ordinance for the Bay Point, Bay Point Area of Benefit, and for the Eastern Contra Costa Subregional Transportation Mitigation Fee. Consult with the Public Works Department to determine the current fee.
162. Pay the fee in effect at time of the filing of the Final Map in compliance with the Drainage Area associated with the subject property. Consult with the Public Works Department to determine the current fee.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES):

163. Applicant shall be required to comply with the County's Storm Water Management and Discharge Control Ordinance (Ord. No. 96-21) rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (San Francisco Bay - Region II, or Central Valley Region IV).
164. Develop and include long-term best management practices as part of the project design, subject to the review of the Public Works Department and approval of the Zoning Administrator.